in rich, well drained soil in the Turtle Mountains. Sp. Pl. 863 (1753).

7. *Erigeron racemosus* Nutt.

Occasional along water courses. Trans. Am. Phil. Soc. 7: 312 (1841).

Leeds, North Dakota.

A QUESTION OF NOMENCLATURE.

By J. A. Nieuwland.

After having called attention to the fact of the priority of Schmidel's name *Thelypteris** over Adanson's *Dryopteris* or Schwartz's *Aspidium*, on the basis of 1753 as the "starting point" of nomenclature, several objections by well known botanists were made to me supposedly founded on certain codes or opinions. Followers presumably of the Vienna Code claimed that Schmidel's generic name like Adanson's was not made accompanied by the simultaneous publication of a *binary specific name, or without any direct reference to such in another work* and designating in the latter case the referred binary as type of the new genus As far as I can find on consulting botanists it would seem that the followers of the so-called American Code will accept the validity of the genus on the latter of the two alternatives, or even when it is perfectly clear that a given plant is meant whether reference to any binary is made or not.

For the followers of the American Code, a system typified by Britton's Manuals and other works emanating from the New York Botanical Garden, there can be no possible objection to *Thelypteris;* for Schmidel made an indubitable and unmistakable reference in synonymy to the first edition of Linnaeus' Species Plantarum, as also the same in the tenth edition of the Systema Naturae, actually quoting the Linnaean "specific name."†

The makers of the Vienna Code, however, have arbitrarily decided that since even the Linnaean generic diagnoses were

* Am. Midland Naturalist, Vol. I., p. 224, etc.

† "Acrostichum fronde pinnata, pinnis pinnatifidis integerrimis Linn. Spec. p. 107. N. 21. Syst. Nat. Ed. X. p. 1320. n. 21."

not given in the Species Plantarum, these are to be considered, as exception to the rule, to be published in conjunction with and in reference to the Genera Plantarum of 1754, where alone generic diagnoses are found. Of course this arbitrary arrangement was evolved to make the code rule worth while, and at the same time have some show of consistency, not to say reason, for throwing out many valid generic publications of Adanson and other authors. No thinking person will question the right of code makers to make arbitrary rules, even though they emphatically declare that they do not, because in the very nature of things, when reason and absolute historical priority, which alone deserve consideration, are put aside, we really could not have such a diversion as a code without empirical rulings and arbitrary decisions. If reason be rejected as a guide in nomenclature, then we can have no guide at all unless an arbitrary date or an arbitrary author or set of arbitrary agreements be put up as fetiches to decide validity of biological names.

Granting for the sake of argument, and admitting even that Linnaeus' own trivial binary terminations in the Species Plantarum of 1753 are made valid because published in reference to the generic diagnoses in another work, (Gen. Pl. 1754) then we still have another great difficulty, if we are expected to live up to the rule that trivial binaries must accompany generic publications. There are several generic names of the Genera Platarum of 1754 which are monotypic according to the 1753 edition of the Species Plantarum, *and in fact were not, as the rule requires, accompanied even in the latter work by a binary trivial name.* If therefore it be made necessary for the validity of publication of a genus name, that it be made in connection with a reference to a binary trivial then we are forced to the conclusion that the Linnaean genera *Erythronium, Mussaenda Hydrocharis,* and *Hemerocallis* were not published in 1753 or 1754, and not for a long time after in one or other case at that. These generic names *were not published in reference to a binary,* because we will look in vain for such in the Species Plantarum. In fact the names under the genus captions are *Erythronium Dens canis, Mussaenda fructu frondoso, Hydrocharis Morsus ranae,* and *Hemerocallis Lilio Asphodelus,* and these names reprinted as found in the Species Plantarum can not by any juggling of hyphens be forged into real binaries without the perpetration of the most disgraceful thing a scientist can

be guilty of—a lie. An objection may at first sight appear in case of the last, *Hemerocallis*, where a second name *H. Liliastrum* occurs, and which has been since segregated into another genus. We admit the force of the objection only in case that the name *Hemerocallis* arbitrarily and contrary to all reasonable precedent, be reserved for the segregated genus of which *H. Liliastrum* Linn. now forms a component. This would mean more and more unreasonable changes making confusion worse confounded; for *H. Lilio Asphodelus* is the undisputed type of the Linnaean genus. Not one perhaps of all the staunchest followers of the supposed principle of the Vienna Code has ever even for a moment thought of questioning the validity of the Linnaean genera *Erythronium*, *Mussaenda* and *Hydrocharis*, for they are attributed to him in all books that have them. Yet the very rules fabricated require that we reject these

It follows then that it is a very difficult matter for code makers to elaborate rules which are expected to make Linnaeus fall in line with their arbitrary decisions. It sometimes seems a pity that he never could have foreseen that 1753 was to be the beginning of botanical nomenclature. With codes as with arguments if one starts wrong one must pile up more and more inconsistencies to try to make an unreasonable proposition seem plausible. If this were a fable we would point the obvious moral that it is pleasant to make arbitrary rules only when we do not expect to have them kept.

OUR WINTER BIRDS.

The chief event in the bird world this winter was the presence of the Robin in each month and notably in January and February. The birds seen here were doubtless those having the most northern range, the severity of the weather having driven them south to places where they could find water. The individuals observed in this locality were usually seen near the edge of a lake where the water did not freeze. That the Robins could endure very cold weather, when the temperature was many degrees below zero, shows that it is not the severity of a climate that caused the birds to migrate, but the scarcity of food and water. This is the only